

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

---

Ex parte: *RICHARD KULAK and MICHAEL TRACEY*

---

Application No. 10/574,653  
Technology Center 3600

---

Mailed: May 27, 2009

---

Before DEBORAH PERRY, *Supervisory Paralegal Specialist, Review Team*  
PERRY, *Supervisory Paralegal Specialist, Review Team*

ORDER VACATING RETURN TO EXAMINER

On May 22, 2009, an Order Returning Undocketed Appeal to Examiner was mailed, stating that the Examiner needed to consider the Reply Brief filed on April 21, 2009. However, a further review of the file has determined that the Order Returning Undocketed Appeal was mailed in error.

Accordingly, it is **ORDERED** that the Order Returning Undocketed Appeal to Examiner mailed May 22, 2009, is herein vacated.

Application No. 10/574,653

The application will be assigned an Appeal No. and will be assigned to a merit panel in due course.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

DP/*alw*

CARLSON GASKEY & OLDS  
400 W MAPLE STE 350  
BIRMINGHAM MI 48009